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DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Chiropractic</b>
<b>MEETING DATE AND TIME:</b>	<b>Thursday, May 7, 2013 at 8:30 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room B</b> , second floor of the Cannon Building
<b>MINUTES APPROVED:</b>	June 6, 2013

**MEMBERS PRESENT**

Dr. Kelly Keener, Professional Member, President  
Dr. Christopher Baldt, Professional Member, Secretary  
Dr. Arthur Travis, Professional Member  
Jill Morrison, Public Member, Secretary  
Lois Dunning, Public Member

**MEMBERS ABSENT**

Dr. Brian Chandler, Professional Member, Complaint Officer

**DIVISION STAFF/DEPUTY ATTORNEY GENERALS PRESENT**

Kevin Maloney, Deputy Attorney General  
LaTonya Brown, Administrative Specialist II

**OTHERS PRESENT**

Scott Schreiber, DC  
Rebecca Keeley, DC  
Andrew Leitzke, DC  
James Sheehan  
Trent Camp, DCS  
Matthew Godwin, DC  
Adam Balick  
Brian Baar, DC

**CALL TO ORDER**

Dr. Keener called the meeting to order at 8:36 a.m.

**REVIEW OF MINUTES**

A motion was made by Dr. Keener, seconded by Dr. Travis, to accept the meeting minutes of February 7, 2013. The motion carried unanimously.

**UNFINISHED BUSINESS**

**Re-review of Continuing Education Audits**

The following continuation education audits were re-reviewed & approved:

James Hal Bowen  
Garland Fisher  
John Saponara

The files for Suzanne Kloud and Leonard Kostow were tabled due to further review and scheduled for the next Board meeting (6/6/13).

### **NEW BUSINESS**

#### **Consideration of Motion for Temporary Suspension-James Ferraro**

The Consideration of Motion for Temporary Suspension for Dr. Ferraro went on record at 8:44 am with introductions. Mr. Balick presented the Board with argument on the allegations raised in the complaint against his client Dr. Ferraro. The consideration of motion for temporary suspension went off record at 8:58 am for Board deliberations. The consideration of motion for temporary suspension resumed at 9:18 am with Mr. Travis making the motion, seconded by Ms. Keener not to suspend Dr. Ferraro's license. Ms. Morrison voted for suspension.

#### **Ratification of Applications**

A motion was made by Dr. Keener, seconded by Dr. Baldt, to ratify for approval the applications of Masoud Farazdaghi, Mitchell Jomsky, Mohammad S. Farazdaghi, Mohammad A. Farazdaghi, Randy Hallman and Hermione Jourdan by the Division as directed by the Board. The motion carried unanimously.

#### **Review of Applications**

A motion was made by Dr. Keener, seconded by Dr. Baldt, to approve the applications of Christopher Cianci and Matthew Godwin. The motion carried unanimously.

A motion was made by Dr. Keener, seconded by Dr. Baldt, to propose to deny the application of Alexander Zilberman. Mr. Zilberman has not successfully passed the physiotherapy section of the National Board of Chiropractic Examiners examination. The motion carried unanimously.

#### **Hearing Officer Recommendations**

A motion was made by Dr. Keener, seconded by Dr. Baldt, to refer the hearing officer's recommendations for Leonard Kostow, Brian Broskoskie, Sean Maas, Lauren Schofield Tucker, Suzanne Kloud, Jerry Szych, John Bilas and Peter Chambers for next months (6/6/13) Board meeting. The motion carried unanimously.

#### **Review of Continuing Education Courses**

A motion was made by Dr. Keener, seconded by Dr. Baldt, to approve the continuing education course Advanced Workers Compensation. The motion carried unanimously.

### **COMPLAINT STATUS**

06-01-12	Assigned to Hearing Officer
06-05-12	Assigned to Hearing Officer
06-07-12	Open
06-08-12	Assigned to Board
06-09-12	Open
06-01-13	Referred to AG
06-02-13	Open
06-03-13	Open

### **OTHER BUSINESS BEFORE THE BOARD (for discussion only)**

#### **Humana/Choice Care- Dina Adwell**

Ms. Brown presented the Board with questions from Dina Adwell at Human ChoiceCare. Dr. Keener will review and answer all questions regarding our credentialing process.

#### **FCLB Delegate & Alternate Voting Designation**

Ms. Brown presented the Board with FYI, regarding the FCLB voting designation.

### **CORRESPONDENCE**

#### **Email from Dr. Keita L. Vanterpool**

Email was in regards to the FCLB Elections, the event took place in San Francisco on May 4, 2013. Email was presented and reviewed (FYI).

Proposed Legislation – Delaware Chiropractic Society

Mr. Schreiber discussed his concerns regarding the legislation. He stated that this restrictive legislation limits the ability of the profession to reach the greatest number of patients and inhibits the patient's ability to receive quality care.

Dr. Camp explained the ins and outs of the legislation and what this bill allows you to do. He stated that this law states in order to have a chiropractic business you have to be a chiropractor.

The board discussed their thoughts on the bill and that they have not taken position on the proposed legislation.

Dr. Baar expressed his thoughts on the new bill and how it would affect the profession.

FCLB District III Director Election- Fedorczyk, DC

Email was in regards to the FCLB Elections, the event took place in San Francisco on May 4, 2013. Email was presented and reviewed (FYI).

American Chiropractic Board of Sports Physicians – Robert Nelson, DC

The American Chiropractic Board of Sports Physicians wants to know Delaware's rule on a chiropractor being allowed to evaluate, manage and determine return to play for concussions. The response given is as of right now Delaware has no rule on this subject. There is nothing listed in the Rules and Regulations regarding concussions.

PowerPoll Request- Clinic Franchises

Ms. Brown received an email from PowerPoll questioning if the Board has had any experience with chiropractic franchises. The Board's response was as of now there is nothing specific listed as far as Board regulations of clinic franchises.

Email from Jodie Fortine-Travel to Treat

Ms. Brown received an email from The Jodi Fortine regarding "travel to treat" regulation/law in Delaware. The response given is No, however you can work in consult and give evaluations but you can not treat.

Email from Rebecca Keeley

Ms. Brown received an email from Ms. Keeley regarding the legislation of restricting her choice in how she would practice. The board's response was that they are not proposing the legislation. A letter to co-sponsors and DCS explaining that the board does not endorse and have not taken any action on this legislation was suggested.

Chiropractic Treatment of Animals- Dr. Saporito

Ms. Brown received an email from Dr. Saporito questioning the chiropractic treatment of animals in the state of Delaware. The Board's response was for him to seek legal council to form an opinion of what the Law states.

Email from Brian Baar and Kristin Dillon

Ms. Brown received a letter from Dr. Baar and Dr. Dillon for the board to review. Dr. Baar expressed his thoughts on the new bill and how it would affect the profession.

**PUBLIC COMMENT**

None

**NEXT MEETING**

The next Board meeting is scheduled for June 6, 2013.

**ADJOURNMENT**

There being no further business before the Board, a motion was made by Dr. Keener seconded by Ms. Morrison, to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 11:09 am.

Respectfully submitted,

Delaware Board of Chiropractic  
Meeting – May 7, 2013

A handwritten signature in black ink that reads "LaTonya Brown". The signature is written in a cursive, flowing style.

LaTonya Brown  
Administrative Specialist II